

SSB 5795 - H AMD 449

By Representative Seaquist

ADOPTED 4/13/2009

1 On page 2, after line 29, insert the following:

2 "Sec. 2. RCW 47.46.060 and 2002 c 114 s 18 are each amended to
3 read as follows:

4 (1) Any person, including the department of transportation and any
5 private entity or entities, may apply for deferral of taxes on the
6 site preparation for, the construction of, the acquisition of any
7 related machinery and equipment which will become a part of, and the
8 rental of equipment for use in the state route number 16 corridor
9 improvements project under this chapter. Application shall be made to
10 the department of revenue in a form and manner prescribed by the
11 department of revenue. The application shall contain information
12 regarding estimated or actual costs, time schedules for completion and
13 operation, and other information required by the department of
14 revenue. The department of revenue shall approve the application
15 within sixty days if it meets the requirements of this section.

16 (2) The department of revenue shall issue a sales and use tax
17 deferral certificate for state and local sales and use taxes due under
18 chapters 82.08, 82.12, and 82.14 RCW on the project.

19 (3) The department of transportation or a private entity granted a
20 tax deferral under this section shall begin paying the deferred taxes
21 in the fifth year after the date certified by the department of
22 revenue as the date on which the project is operationally complete.
23 The first payment is due on December 31st of the fifth calendar year
24 after such certified date, with subsequent annual payments due on
25 December 31st of the following nine years. Each payment shall equal
26 ten percent of the deferred tax. The project is operationally

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1 complete under this section when the collection of tolls is commenced
2 for the state route number 16 improvements covered by the deferral.

3 (4) The department of revenue may authorize an accelerated
4 repayment schedule upon request of the department of transportation or
5 a private entity granted a deferral under this section.

6 (5) Interest shall not be charged on any taxes deferred under this
7 section for the period of deferral, although all other penalties and
8 interest applicable to delinquent excise taxes may be assessed and
9 imposed for delinquent payments under this section. The debt for
10 deferred taxes is not extinguished by insolvency or other failure of
11 the private entity. Transfer of ownership does not terminate the
12 deferral.

13 (6) Applications and any other information received by the
14 department of revenue under this section are not confidential and are
15 subject to disclosure. Chapter 82.32 RCW applies to the
16 administration of this section.

17 (7) Taxes due under chapters 82.08 and 82.12 RCW on the site
18 preparation for, the construction of, the acquisition of any related
19 machinery and equipment that will become a part of, and the rental of
20 equipment for use in the state route number 16 corridor improvements
21 project for which a deferral has been granted need not be repaid."

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23 Correct the title.

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EFFECT: Changes the sales and use tax deferral for the Tacoma
Narrows Bridge project to an exemption.

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